

COPY

PROB 22
(Rev. 2/88)CENTRAL DISTRICT OF CALIFORNIA
BY *[Signature]* DEPUTY

TRANSFER OF JURISDICTION

08 CR

DOCKET NUMBER (Trans. Court)

CR89-00872

DOCKET NUMBER (Rec. Court)

594

NAME AND ADDRESS OF PROBATIONER/SUPERVISED RELEASEE

DISTRICT

DIVISION

MILTON BAKER

Central District of California

Los Angeles

NAME OF SENTENCING JUDGE

Honorable Harry L. Hupp

DATES OF PROBATION/
SUPERVISED RELEASE

FROM

TO

2/26/07

2/25/12

OFFENSE

21 USC 841(a): Possession With Intent to Distribute 5,659.4 grams of Cocaine Base

PART 1 - ORDER TRANSFERRING JURISDICTION

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA

IT IS HEREBY ORDERED that, pursuant to 18 U.S.C. 3605, the jurisdiction of the probationer or supervised releasee named above be transferred with the records of this Court to the United States District Court for the NORTHERN DISTRICT OF ILLINOIS upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of probation or supervised release may be changed by the District Court to which this transfer is made without further inquiry of this court.*

JUL 2 2008

Date

[Signature]
CHIEF United States District Judge
ALICEMARIE H. STOTLER

*This sentence may be deleted in the discretion of the transferring Court.

PART 2 - ORDER ACCEPTING JURISDICTION

UNITED STATES DISTRICT COURT FOR THE Northern DISTRICT OF Illinois - E.D

IT IS HEREBY ORDERED that jurisdiction over the above-named probationer/supervised releasee be accepted and assumed by this Court from and after the entry of this order.

RECEIVED

JUL 25 2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

JUL 24 2008

Effective Date

[Signature]
United States District Judge



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION
312 North Spring Street, Room G-8
Los Angeles, CA 90012
Tel: (213) 894-3535

SOUTHERN DIVISION
411 West Fourth Street, Suite 1053
Santa Ana, CA 92701-4516
(714) 338-4750

EASTERN DIVISION
3470 Twelfth Street, Room 134
Riverside, CA 92501
(951) 328-4450

SHERRI R. CARTER
District Court Executive and
Clerk of Court

August 4, 2008

Clerk, Northern District Court of Illinois
2046 Everett McKinley Dirksen, U.S. Courthouse
219 South Dearborn Street, 20th Floor
Chicago, IL 60604

FILED
AUG 08 2008
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

Re: Transfer of Our Case No. CR 89-00812 HLH

Assigned Your Case No. 08 CR 00594, Judge Pallmeyer

Case Title: USA v. Milton Baker

Dear Sir/Madam:

- ☐ Enclosed are the original and one copy of Probation Form 22, Transfer of Jurisdiction, in the above-entitled matter which has been approved by this court. Please present them to your court for approval.

Upon approval, please return the **original** to this office and we will send you the necessary documents from our file. If you assign a case number at this time, please indicate same on the copy of this letter and return that also.

- ☒ Transfer of probationary jurisdiction to your district having been approved in the above-entitled matter, enclosed are the certified copies of: 1) indictment/information, and 2) judgment and probationary order.

Please acknowledge receipt of these documents on the copy of this letter and return to this district.

Sincerely,

Clerk, U.S. District Court

By Lori Muraoka

Deputy Clerk

cc: Probation Office, Central District of California
Probation Office, District of Origin

=====

Acknowledgment of Receipt

Receipt is hereby acknowledged of the enclosures referred to above.

Clerk, U.S. District Court

By _____

Deputy Clerk

Date

*** GRID B17 ***

ACTIVE CRIMINAL DOCKETS

CAL-C (LOS ANGELES) 06/17/92

CR-89-00812-01

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as of 10/04/91 at 8:38 PM

Judge: JUDGE HUPP

Case Filed: 09/15/89

Prior Magistrate Number: 89-1645M-02

Defendant:

D1 BAKER, MILTON JEROME, JR

Birthdate: 05/30/63

Dft ID: -30481

Defendant terminated: 04/23/90

Terminated counts:

POSSESSION WITH INTENT TO
DISTRIBUTE COCAINE BASE,
DISTRIBUTION OF COCAINE
BASE.JS, 21:841A1 (1-2)

Disposition

(Counts 1-2) SENT (GUIDELINES
CASE) IMPRISONMENT FOR 235
MONTHS ON EACH OF CNT 1 & 2
CONCURRENTLY UPON REL FRM
CUST, 5 YRS SUPERVISED
RELEASE ON CNTS 1 & 2 CONC.,
UPON THE FOLLOWING TERMS
AND CONDITIONS, OBEY ALL R &
R OF P/O AND G O 225.
PARTICIPATE IN A PROGRAM,
AS DIRECTED AND APPROVED BY
P/O, FOR TREATMENT OF
NARCOTIC ADDICTION, OR DRUG
DEPEDN, WHICH MAY INCLUDE
COUNSELING OR RANDOM
TESTING. DFT INFORMED OF
RIGHT TO APPEAL, LJ (C.
LEWIS) (04/23/90)

Offense Level (disposition): FEL

Total Jail: 235 Mo

Complaints:

Flg mag complaint 09/15/89 (DFT IN VIOL OF
21:841A1.JS).

I hereby attest and certify on 8/4/08
that the foregoing document is a full, true
and correct copy of the original on file in
my office, and in my legal custody.

CLERK U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
James J. Hurro
DEPUTY CLERK



1198

*** GRID C17 ***

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as of 10/04/91 at 8:38 PM

Defense Counsel:

ROSEN, ROGER JAY
10000 SANTA MONICA BLVD STE 320
LOS ANGELES, CA 90067
(213) 557-1242

BUDLEY, DAVID
2121 AVENUE OF THE STARS, 6TH FLOOR
LOS ANGELES, CA 90067
(213) 551-6680

*** GRID D17 ***

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PROCEEDINGS

- 09/15/89 1 Filed magistrate complaint (MAGISTRATE TASSOPULOS) (Dkt'd 10/04/89).
Order bench warrant issued (MAGISTRATE TASSOPULOS) (Dkt'd 10/04/89).
Bench warrant issued (Dkt'd 10/04/89).
- 09/29/89 2 Filed indictment (KING) (Dkt'd 10/25/89).
4 - FLD CR/2 BY AUSA SANDRES, JS (Dkt'd 10/04/89).
Order bench warrant issued (KING) (Dkt'd 10/04/89).
Bench warrant issued (Dkt'd 10/04/89).
- 10/10/89 6 Defendant fails to appear for arraignment (Counts 1-2) 10/10/89 (MAGISTRATE BROWN) (Dkt'd 10/25/89).
- 10/11/89 9 Filed bench warrant returned unexecuted (MAGISTRATE TASSOPULOS) (Dkt'd 10/20/89).
- 10/19/89 10 - DFT ARRESTED. SM (Dkt'd 10/21/89).
- 10/20/89 11 - FLD FIN AFFID. SM (Dkt'd 10/21/89).
12 Bond (FLD NOT OF REG FOR DENT. SM) (Dkt'd 10/21/89).
13 - FLD NOT DIR DFT TO APPR FOR ARREST OFN INDCTMT. SM (Dkt'd 10/21/89).
14 Arraignment held (Counts 1-2) (DFT INFORMED OF CHARGE AND RIGHT TO APPTMT OF CNL. BEISCH AS CNL FOR DFT. SM) (JUDGE EICK) (Dkt'd 10/23/89).
Defendant's first appearance (Dkt'd 10/21/89).
Bail not allowed (Dkt'd 10/21/89).
Arraignment and plea continued to 10/23/89 @ 8:30 AM (Counts 1-2) (Dkt'd 10/23/89).
Detention hearing set for 10/24/89 @ 9:00 AM (JUDGE EICK) (Dkt'd 10/21/89).
- 15 Order filed (FLD ORD OF TERM BETH PENDING HRS FURS TO BAIL REFORM ACT. SM) (Dkt'd 10/21/89).
- 10/23/89 16 Arraignment held (Counts 1-2) (DFT IS ARRM AND STAT T/N AS CHARGED. CRT ORD COUNSEL APPTD - ATTY ANNA HO-PANEL - MARY GIBSONS APPEARING FOR ANNA HO.LJ) (MAGISTRATE GEFFEN) (Dkt'd 10/25/89).
16 Order appointing attorney HO, ANNA to represent defendant (MARY GIBSONS APPEARING FOR ANNA HO.LJ) (MAGISTRATE GEFFEN) (Dkt'd 10/25/89).
Defendant appears with counsel (Dkt'd 10/25/89).
16 Arraignment and plea continued to 10/23/89 @ 2:00 PM (Counts 1-2) (BEFORE JUDGE HIPP RE PLEA AND TRIAL SETTING. LJ) (MAGISTRATE GEFFEN) (Dkt'd 10/25/89).
17 - FLD STATEMENT OF DFT'S CONSTITUTIONAL RIGHTS. LJ (Dkt'd 10/25/89).
18 Arraignment held (Counts 1-2) (PLEA AND TRIAL SETTING. DFT

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BAKER PRESENT W/ COUNSEL AND PLEADS N/G TO CTS 1 & 2 OF THE INDICTMENT. COURT SETS AN ESTIMATED 2 1/2 DAY JURY TRIAL FOR 11-28-89 AT 8:30 AM. A STATUS CONF IS SET FOR 11-20-89 AT 2:00 PM. ANY PROPOSED MOTNS TO BE SET FOR HNG ON 11-20-89 AT 2:00 PM. COURT DIRECTS THAT THE DETH HNG SET FOR 10-24-89 AT 9:00 AM IS BE HEARD BY MAGISTRATE EICK.LJ) (JUDGE HUPP) (Dkt'd 10/25/89).

18 Defendant enters plea of not guilty (Counts 1-2) (JUDGE HUPP) (Dkt'd 10/25/89).

18 Trial date set for 11/28/89 @ 8:30 AM (Counts 1-2) (EST 2 1/2 J/T STATUS CON IS SET FOR 11-20-89 AT 2:00 PM. ANY PROP MOTN TO BE SET FOR HNG ON 11-20-89 AT 2:00 PM.LJ) (JUDGE HUPP) (Dkt'd 10/25/89).

10/24/89 19 Detention hearing held MATTER CALLED FOR PERM DETH HNG. CRT ORDS DFT PERM DETAINED. SEE SEPARATE DETH ORDER.LJ) (JUDGE EICK) (Dkt'd 10/25/89).

20 Order filed (FLB ORD OF DETH AFTER HNG.LJ) (JUDGE EICK) (Dkt'd 10/25/89).

20 Bail not allowed (JUDGE EICK) (Dkt'd 10/25/89).

10/31/89 22 Filed bench warrant returned executed, executed on 10/19/89 (DFT ARREST ON INDICTMENT RE WARRANT FOR ARREST.LJ) (Dkt'd 11/03/89).

11/20/89 Attorney HO, ANNA deleted from case (FLB SUBS OF ATTY. KKG) (JUDGE HUPP) (Dkt'd 11/27/89).

23 Filed substitution of ROSEN, ROGER JAY as attorney for defendant (JUDGE HUPP) (Dkt'd 11/27/89).

25 Status hearing held (CRT APPROVES SUBS OF CHSL & PRIOR CHSL IS RELVD. ON MTN OF DFTS. TRI IS CO TO 12-26-89 @ 8:30 A.M. CRT SETS HANGS ON MTNS TO SUPPRESS FOR 12-11-89 @ 2:00 PM. MTNS TO BE FLB 11-24-89, OPPOS 12-1-89. CRT FINDS EXC T1 IN INT OF JUST, GRINDING TO PREPARE FORMAL ORD. KKG) (JUDGE HUPP) (Dkt'd 11/27/89).

25 Trial date continued to 12/26/89 @ 8:30 AM (Counts 1-2) (JUDGE HUPP) (Dkt'd 11/27/89).

11/27/89 28 Motion filed (MOT83) (FLB MTN TO RESERVE FILING OF OTHER MTNS. KKG) (Dkt'd 11/29/89).

29 Motion for severance/separate trial filed (MOT84) (Counts 1-2) (Dkt'd 11/29/89).

30 Motion to suppress evidence filed (MOT85) (Counts 1-2) (MEMO OF POINTS & AUTH IN SUPPORT THEREOF: DEC OF ROGER J. ROSEN EXH. KKG) (Dkt'd 11/29/89).

12/01/89 31 - FLB NOTC OF GOVT'S IN CAMERA FILING OF DEC IN OPPOSITION TO DFT'S MTN FOR DISC. KKG (Dkt'd 12/01/89).

32 - FLB GOVT'S IN CAMERA FILING OF DEC IN OPPOS TO DFT'S MTN

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- FOR DISC UNDER SEAL. KKG (Dkt'd 12/01/89).
- 34 Filed memorandum in opposition to motion for severance/separate trial (MOT#4) (FLD GOVT'S OPPOS TO DFT BAKER'S MOTN TO SEVER MEMO OF P & A DECLARS OF ALKA SAGAR AND CHRIS LANG.LJ) (Dkt'd 12/11/89).
- 35 Filed answer to motion to suppress evidence (MOT#5) (FLD GOVT'S CONSOLIDATED RESPONSE TO DFT'S MOTN TO SUPPRESS EVIDENCE AND STATEMENTS MEMO OF P & A DECLARS OF ALKA SAGAR, RAY MARTIN, JIM GILLESPIE AND CRIS LANG AND EXHIBITS.LJ) (Dkt'd 12/11/89).
- 37 Filed memorandum in opposition to motion (MOT#3) (FLD GOVT'S OPPOS TO DFT BAKER'S MOTN TO RESERVE FUR MOTNS MEMO OF P & A.LJ) (Dkt'd 12/11/89).
- 12/04/89 38 Filed answer to motion to suppress evidence (MOT#5) (FLD GOVT'S CONSOLIDATED RESPONSE TO DFTS' MOTN TO SUPPRESS EVIDENCE AND STATEMENTS MEMO OF P & A DECLAR OF ALKA SAGAR, RAY MARTIN, JIM GILLESPIE AND CRIS LANG AND EXHIBITS.LJ) (Dkt'd 12/11/89).
- 12/05/89 39 - FLD GOVT'S EX PARTE APPLIC FOR ORD PERMIT RELEASE OF GRAND JURY TRANSCRIPT MEMO OF P & A DECLAR OF ALKA SAGAR.LJ (Dkt'd 12/11/89).
- 12/06/89 40 Order filed (FLD FINDINGS AND ORDER RE EXCLUDABLE TIME - ORD THAT THE TRIAL DATE PRESENTLY SET BE VACATED AND TRIAL BE CONT'D TO 12-26-89 AT 8:30 AM. LJ) (JUDGE HUPP) (Dkt'd 12/12/89).
- 41 Excludable delay based on finding the ends of justice served by continuance began on 11/20/89 and ended on 12/26/89 (JUDGE HUPP) (Dkt'd 12/12/89).
- 12/07/89 42 Order filed (FLD ORD THAT THE PLTF USA MAY SUPPLY THE DFTS' COUNSEL OF RECORD W/ A COPY OF THE GRAND JURY TESTIMONY OF A WITNESS WHOM THE GOVT INTENDS TO CALL AT TRIAL. THIS ORD IS BEING ENTERED TO PERMIT COMPLIANCE W/ THE DISCLOSURE PROVISIONS OF THE JENCKS ACT, 18:3500.LJ) (JUDGE HUPP) (Dkt'd 12/12/89).
- 12/11/89 43 - FLD DFT BAKER REQ FOR A FRANKS HRG.LJ (Dkt'd 12/13/89).
- 44 Filed reply to answer to motion to suppress evidence (MOT#5) (FLD DFT BAKER'S REPLY TO GOVT'S OPPOS TO HIS MOTN TO SUPPRESS EVIDENCE.LJ) (Dkt'd 12/13/89).
- 45 Status hearing held (RE WHEATLEY MOTN TO SUPPRESS, BAKER MOTNS TO SEVER, TO SUPPRESS, ETC.) DFTS PRESENT W/ COUNSEL AND DECLARS OF WITNESSES FLD. DECLARANTS SWORN & TESTIFY. FURTHER FUR PROCEEDINGS ON MOTNS ARE CONT'D TO 12-12-89 AT 1:30 PM.LJ(CW-LJ) (JUDGE HUPP) (Dkt'd 12/19/89).
- 46 - FLD DECLAR OF RAY MARTIN.LJ (Dkt'd 12/19/89).

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- 47 - FLD DECLAR OF CRIS LANG.LJ (Dkt'd 12/19/89).
 48 - FLD DECLAR OF JIM GILLESPIE.LJ (Dkt'd 12/19/89).
- 12/12/89 49 Status hearing held MOTIONS CONT'D FRM 12-11-89 - DFTS
 PRESENT W/ COUNSEL, WITNESSES SWORN AND TESTIFIED, COUNSEL
 AND COURT DISCUSS MOTNS. MOTNS CONT'D TO 12-15-89 AT 3:00
 PM.LJ(CW-LJ) (JUDGE HUPP) (Dkt'd 12/19/89).
 51 - FLD ASSOCIATION OF COUNSEL DAVID M DUDLEY.LJ (Dkt'd
 12/19/89).
 51 Attorney DUDLEY, DAVID added to case (Dkt'd 12/19/89).
- 12/15/89 52 - FLD LIST OF EXHIBITS AND WITNESSES.LJ (Dkt'd 12/19/89).
 53 - FLD DECLAR OF CRIS LANG.LJ (Dkt'd 12/19/89).
 55 - FLD GOVT'S DEMAND FOR NOTC OF ALIBI.LJ (Dkt'd 12/20/89).
 56 Status hearing held (DFTS PRESENT L./ COUNSEL AND CONT W/
 FUR DISCUSSION ON MOTNS, COURT RULES ON MOTNS AS FOLLOWS
 AND MAKES FINDINGS AS NOTED ON THE RECORDER'S NOTES. 1. DFT
 WHEATLEY'S MOTN TO SUPPRESS CONTENTS OF THE PURSE IS DENIED.
 2. DFT BAKER'S MOTN TO SUPPRESS FINDINGS OF 5 1/2 KILOS OF
 CRACK IS DENIED. 3. DFT WHEATLEY'S MOTN TO SUPPRESS STMT
 TO AGENT LANG ON MIRANDA GROUNDS IS GRANTED, SAID STMT ARE
 EXCLUDED. 4. DFT BAKER'S MOTN TO SEVER IS DENIED. 5. DFT
 WHEATLEY'S MOTN TO SUPPRESS ITEMS SEIZED UNDER S/W IS
 DENIED. 6. DFT BAKER'S MOTN TO FILE FUR MOTNS IS DENIED W/O
 PREJ. 7. DFT WHEATLEY'S MOTN FOR DISCOVERY IS DENIED.
 GOVT'S SEALED EXHIB. 25 (IN CAMERA) IS ADMITTED FOR THIS
 HRG AND SHALL REMAIN UNDER SEAL. LJ(ER) (JUDGE HUPP)
 (Dkt'd 12/20/89).
 56 Motion to suppress evidence denied (MOT#5) (DFT BAKER'S
 MOTN TO SUPPRESS FINDINGS OF 5 1/2 KILOS OF CRACK IS DENIED.
 LJ) (JUDGE HUPP) (Dkt'd 12/20/89).
 56 Motion for severance/separate trial denied (MOT#4) (JUDGE
 HUPP) (Dkt'd 12/20/89).
 56 Motion denied (MOT#3) (RE DFT BAKER'S MOTN TO FILE FUR
 MOTNS IS DENIED W/O PREJ.LJ) (JUDGE HUPP) (Dkt'd 12/20/89).
- 12/21/89 59 - FLD DFT'S APPLIC FOR SHORT'S TIME.LJ (Dkt'd 12/26/89).
 60 Order filed (FLD ORD THAT DFT MILTON BAKER JR ALLOW TO FILE
 A MOTN FOR CONTINUANCE IN THIS MATTER AND SETTING THE HRG
 ON THIS MOTN FOR 12/22/89 AT 2:00 PM.LJ) (JUDGE HUPP)
 (Dkt'd 12/26/89).
 61 Motion for continuance filed (MOT#7) (FLKD DFT'S BAKER
 MOTN FOR CONT OF TRIAL FRM 12/26/89 TO A DATE CONVENIENT
 FOR THIS CRT AFTER 1/8/90.LJ) (Dkt'd 12/26/89).
 61 Motion for continuance hearing set for 12/22/89 @ 2:00 PM
 (MOT#7) (Dkt'd 12/26/89).
 62 Filed government's proposed jury instructions (Counts 1-2)
 (Dkt'd 12/26/89).

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PROCEEDINGS

- 63 Filed trial memorandum (Counts 1-2) (FLD BY PLTF.LJ) (Dkt'd 12/26/89).
- 64 Filed government's proposed jury instructions (Counts 1-2) ((CLEAN SET).LJ) (Dkt'd 12/26/89).
- 12/22/89 65 Motion for continuance hearing held (MOT#7) (DFT'S MOTN TO CONT TRIAL DFTS PRESENT W/ COUNSEL ADM DISCUS MOTN TO CONTIN UE. CRT DENIES MOTN TO CONTINUE. TRIAL WILL COMMENCE ON 12/26/89 AS SET, W/ JURY SELECTION.LJ(CML)) (JUDGE HUPP) (Dkt'd 12/26/89).
- 65 Motion for continuance denied (MOT#7) (CRT DENIES MOTN TO CONT TRIAL.LJ) (JUDGE HUPP) (Dkt'd 12/26/89).
- 66 Government's requested voir dire (Dkt'd 12/26/89).
- 12/26/89 67 Status hearing held (J/T) CRT AND COUNSEL CONFER. COUNSEL ARGUE. DFT BAKER'S MOTN TO CONT IS DENIED. FOR THE CRT DRIES DFTS BAKER AND WHEATLEY'S MOTNS IN LIMINE. DFT BAKER RESUBMIT THIS MOTN TO CONT AND IS JOINED BY DFT WHEATLEY. THE CRT GRANTS THE MOTN AND THE ESTIMATED 2 DAY J/T IS CONT'D TO 1/9/90 AT 8:30AM. THE CRT INSTRUCTS DFT BAKER'S COUNSEL TO PREPARE AN ORDER MAKING THE TIME BETWEEN THIS DATE AND 1/9/90 EXCLUDABLE.LJ(LK & ESR)) (JUDGE HUPP) (Dkt'd 01/11/90).
- 67 Trial date continued to 01/09/90 @ 8:30 AM (Counts 1-2) (JUDGE HUPP) (Dkt'd 01/11/90).
- 01/09/90 68 Voir dire begins-jury (Counts 1-2) (JUDGE HUPP) (Dkt'd 01/11/90).
- 68 Jury impaneled (Counts 1-2) (JUDGE HUPP) (Dkt'd 01/11/90).
- 68 Trial held-jury (Counts 1-2) (J/T 1ST DAY) DFTS PRESENT W/ COUNSEL AND JURY IS IMPANELED. J/T RECESSED UNTIL 9:00 AM 1/10/90.LJ(LK & ESR)) (JUDGE HUPP) (Dkt'd 01/11/90).
- 68 Jury trial continued to 01/10/90 @ 9:00 AM (JUDGE HUPP) (Dkt'd 01/11/90).
- 01/10/90 69 Trial held-jury (Counts 1-2) (J/T 2ND DAY, DFTS PRSNT W/CNSL & CRT ORDS THE FOLING: DFTS ARE ENT TO RE-WEIGH THE MARE SEIZED IN THIS CASE & TO OBTAIN A SAMPLE FOR TSTNG PURPOSES. OPENING ARGUMENTS ARE HEARD. GOVT PRSNT WIT THRU SHORN TSTMY & EXH ARE I.D. & ADM. CNSL STIP THAT AGENT LANG MNTAIN PHYSICAL CUST OF EXH'S. 13A THROUGH 13E. (CRACK COCAINE) MATTER CO TO 1-11-90 @ 9:00 A.M. KK6) (JUDGE HUPP) (Dkt'd 01/18/90).
- 69 Jury trial continued to 01/11/90 @ 9:00 AM (J/T 3RD DAY. KK6) (JUDGE HUPP) (Dkt'd 01/18/90).
- 01/11/90 70 Trial held-jury (Counts 1-2) (3RD DAY, GOVT CO W/CS IN CHIEF. EXH ADM & GOVT RESTS. DFT BAKER ORAL R29 MTN & DFT. WHEATLEY FLD R29 MTN ARE DISC & DENIED. DFT WHEATLEY

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PROCEEDINGS

PRSNTS CASE IN DEFENSE & RESTS. DFT BAKER PRSNTS CASE IN DEFENSE & RESTS. GOV'T REBUTTLE HEARD & EVIDENCE IS COMPLETE. JURY EXCUSED TO RET 9:00 A.M. & CRT & CNCL DISC JURY INSTRUCTIONS. DFTS REMOVED R29 MTH DENIED. MATTER CO TO 1-12-90 @ 9:00 A.M. KKG) (JUDGE HUPP) (Dkt'd 01/18/90).

70 Jury trial continued to 01/12/90 @ 9:00 AM (4TH DAY. KKG) (JUDGE HUPP) (Dkt'd 01/18/90).

01/12/90 75 Filed government's proposed jury instructions (Counts 1-2) (ORIG GVN. KKG) (JUDGE HUPP) (Dkt'd 01/18/90).

76 Jury notes filed (NOTE FR THE JURY #1 RE: THE JURY HAS REACHED A UNANIMOUS VERDICT. KKG) (JUDGE HUPP) (Dkt'd 01/18/90).

77 - FLD VERDICT. KKG (JUDGE HUPP) (Dkt'd 01/18/90).

78 Witness list filed (Counts 1-2) (Dkt'd 01/18/90).

79 Trial held-jury (Counts 1-2) (J/T 4TH DAY, FLD MIT & EXH LST, CLOSING ARGUMENTS MD, CRT INSTRUCTS JUR, BAILIFF SWORN, ALTH EXCUSED BUT ON CALL, JURY RETIRES TO DELIBERATE & FLD JURY VERDICT AS FOLLOWS. JURY POLLED, FLD JURY MTS & JURY INSTRUCTIONS. DFT REFERRED TO P/O FOR I/R & CONT TO 3-19-90 @ 2:00 P.M. DFT WHEATLEY REMANDED TO CUST & BND EXON AS TO DFT WHEATLEY. KKG) (JUDGE HUPP) (Dkt'd 01/18/90).

79 Trial ends-jury (Counts 1-2) (JUDGE HUPP) (Dkt'd 01/18/90).

79 Jury verdict of guilty (Counts 1-2) (JUDGE HUPP) (Dkt'd 01/18/90).

Order cause referred to the probation department for a pre-sentence investigation (Counts 1-2) (JUDGE HUPP) (Dkt'd 01/18/90).

Sentencing set for 03/19/90 @ 2:00 PM (Counts 1-2) (JUDGE HUPP) (Dkt'd 01/18/90).

02/28/90 82 - FLD NOTC OF FILING UNDER SEAL POSITION OF PARTIES W/RESPECT TO SENT FACTORS. KKG (Dkt'd 03/02/90).

83 - FLD GOVT'S POSITION W/RESPECT TO SENT FACTORS. KKG (Dkt'd 03/02/90).

03/12/90 84 Filed stipulation between the government and defendant (FLD STIP & ORD RE: CONT, DENIED. KKG) (JUDGE HUPP) (Dkt'd 03/14/90).

84 - Jor filed (ORD DENIED CONT SENT. KKG) (JUDGE HUPP) (Dkt'd 03/14/90).

03/19/90 86 Sentencing continued to 04/23/90 @ 2:00 PM (Counts 1-2) (ANY MOTS TO BE FLD BY 4-2-90 & FUR BRIEFS BY 3-26-90. KKG) (JUDGE HUPP) (Dkt'd 03/21/90).

87 Motion for continuance filed (MOT#9) (FLD MOT TO CONT SENT DATE. KKG) (Dkt'd 03/21/90).

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PROCEEDINGS

- 87 Motion for continuance granted (MOT#9) (JUDGE HUPP) (Dkt'd 03/21/90).
- 04/02/90 94 Motion filed (MOT#10) (FLD DFT'S MOTN TO DECLARE SENTG GUIDELINES UNCONSTITUTIONAL RETBL 4-23-90 AT 2:00 PM.LJ) (Dkt'd 04/04/90).
- 04/12/90 95 - FLD RECEIPT FOR REPORTER'S TRANSCRIPT FOR HRG 1-11-90.LJ (Dkt'd 04/13/90).
- 96 Filed transcript of proceedings for 01/11/90 (Dkt'd 04/13/90).
- 04/19/90 97 - FLD GOVT'S RESPONSE TO DFTS POSITION RE SENTG FACTORS.LJ (Dkt'd 04/20/90).
- 98 - FLD GVT'S RESPONSE TO DFT'S MOTN TO DECLARE THE SENT GUIDELINES UNCONSTITUTIONAL. SM (Dkt'd 04/27/90).
- 04/23/90 101 Motion hearing held (MOT#10) (DFT'S MOTN TO DECLARE THE SETNG GUIDELINES UNCONSTITUTIONAL IS DENIED. THE GUIDELINES HAVE BEEN DECLARED CONSTITUTIONAL SO MANY TIMES AND I SO MANY WAYS THAT ONE WOULD THINK THAT THERE CANNOT BE ANY UNADJUDICATED ARGUMENTS LEFT. (FOR DETAILS SEE M.O.). LJ (C. LEWIS)) (JUDGE HUPP) (Dkt'd 04/30/90).
- 101 Motion denied (MOT#10) (DFT'S MOTN TO DECLARE THE SENTG GUIDELINES UNCONSTITUTIONAL IS DENIED.LJ) (JUDGE HUPP) (Dkt'd 04/30/90).
- 102 Sentencing of defendant (Counts 1-2) (SENT (GUIDELINES CASE) IMPRISONMENT FOR 235 MONTHS ON EACH OF CRT 1 & 2 CONCURRENTLY UPON REL FRM CUST, 5 YRS SUPERVISED RELEASE ON CRTS 1 & 2 CONC., UPON THE FOLLOWING TERMS AND CONDITIONS, OBEY ALL R & R OF P/O AND 6 0 225. PARTICIPATE IN A PROGRAM, AS DIRECTED AND APPROVED BY P/O, FOR TREATMENT OF NARCOTIC ADDICTION, OR DRUG DEPENDN, WHICH MAY INCLUDE COUNSELING OR RANDOM TESTING. DFT INFORMED OF RIGHT TO APPEAL. LJ (C. LEWIS)) (JUDGE HUPP) (Dkt'd 04/30/90).
- 04/25/90 103 Issued judgment and commitment to U.S. Marshal (Counts 1-2) (FLD JUDGMENT AND COMMITMENT ORD. (ENT 4-30-90).LJ) (JUDGE HUPP) (Dkt'd 04/30/90).
- 05/01/90 104 Filed notice of appeal (Counts 1-2) (APPL#2) (FLD DFT'S NTC OF APPEAL TO THE 9TH CIR (A FRM THE JUDGMENT OF CONVICTION ENTERED IN THIS CRT ON 4-23-90.LJ (BILL. FRMS GVN.))) (Dkt'd 05/02/90).
- 05/16/90 105 - (APPL#2) (FLD ORD FOR TI SCH, TRANSCRIPT ORD 5-22-90, CRT RPTR'S TRANSCRIPT FLD 6-21-90, APPELLANT'S OPNG BRIEF & EXCERPTS OF RECORD SVB & FLD 7-31-90, BRIEF OF APPELEE SVB & FLD 8-30-90, REPLY BRIEF OF APPELLANT SVB & FLD 9-13-90.

*** GRID K17 ***

ACTIVE CRIMINAL DOCKETS

CAL-C (LOS ANGELES) 06/17/92

CR-89-00812-01

US-V-BAKER

CR-89-00812-01

PAGE 10

PROCEEDINGS

EM) (Dkt'd 05/22/90).

- 05/22/90 106 - (APPL#2) (FLD TRANSCRIPT DSGN & ORD FORM. EM) (Dkt'd 05/30/90).
- 09/11/90 107 - FLD RECEIPT FOR RPTR'S TRANSCRIPT RE HRG HAD ON 12-15-89. EM (Dkt'd 09/25/90).
- 09/12/90 108 - FLD RECEIPT FOR RPTR'S TRANSCRIPT RE HRG HAD ON DEC 12 & 22, 1989, JAN 10 & 12, 1990, 3-19-90, 4-23-90. EM (Dkt'd 09/25/90).
- 109 - FLD RECEIPT FOR RPTR'S TRANSCRIPT RE HRG HAD ON 12-26-89, 1-9-90. EM (Dkt'd 09/25/90).
- 09/19/90 110 - FLD RECEIPT FOR RPTR'S TRANSCRIPT RE HRG HAD ON 1-11-90. EM (Dkt'd 10/01/90).
- 11/14/90 111 Notice filed (FLD DEF ATTY'S NOTC OF CHANGE OF ADDRESS. EM) (Dkt'd 11/20/90).
- 03/08/91 112 Order filed (LODGED ORD FRM 9TH CCA, APPELLANT'S MOT FOR AN EXT OF TIME IN WHICH TO FILE HIS OPENING BRIEF IS GRANTED. MIC) (Dkt'd 03/27/91).
- 09/18/91 113 - FLD RECPT FOR RPTR'S TRANSC. HRG DATE: 12-11-89. MIC (Dkt'd 09/24/91).

.....

End of docket

*** GRID L17 ***

APPEAL, CLOSED

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
(Western Division - Los Angeles)
CRIMINAL DOCKET FOR CASE #: 2:89-cr-00812-HLH-1

Case title: USA v. Wheatley, et al

Date Filed: 09/15/1989

Date Terminated: 04/23/1990

Assigned to: Judge Harry L. Hupp

Defendant (1)**Milton Jerome Baker, Jr.****TERMINATED: 04/23/1990****Pending Counts**

None

Disposition**Highest Offense Level (Opening)**

None

Terminated Counts

21: 841(a)(1) POSSESSION WITH
INTENT TO DISTRIBUTE COCAINE
BASE; DISTRIBUTION OF
COCAINE BASE
(1-2)

Disposition**Highest Offense Level (Terminated)**

Felony

Complaints

None

Disposition**Plaintiff**

USA



1198

I hereby attest and certify on 8/4/08
that the foregoing document is a full, true
and correct copy of the original on file in
my office, and in my legal custody.

CLERK U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
[Signature]
DEPUTY CLERK

Date Filed	#	Docket Text
05/05/1992	115	Lodged ord from 9th CCA The crt notes that atty Mary Gibbons has complied w/our 3-27-92 ord, in that she moved to dismiss as moot, filed the opening brief and pd the \$500.00 sanction. The suspension is modified to allow Gibbons to complete the prosecution of all. Gibbons may also complete the prosecution. (rm) (Entered: 09/09/1992)
11/10/1992	118	Lodged ORDER from 9th CCA that the judgment of the said Dist Crt in this cause be, and hereby is affirmed as to dfts Milton Baker, Jr. (rm) Modified on 03/25/1993 (Entered: 01/07/1993)
11/15/1992		Case transfer frm Dec-10, please refer to micro fiche for previous dkt sheet as to Milton Jerome Baker Jr. (rm) (Entered: 12/09/1992)
11/16/1992	116	MINUTES: Filing and spreading mandate of the 9th cir crt of appeal. The crt ords that the mandate of the 9th cir crt of appeals affirming. ent 12-9-92, as to dft Milton Baker Jr. by Judge Harry L. Hupp (rm) (Entered: 12/09/1992)
11/16/1992	117	CERTIFIED Copy of judgment from USCA it is ord that the judgment of the said dist crt in this cause be, and hereby is affirmed. ent 12-9-92, as to dft Milton Baker Jr. (cc: all counsel) (rm) (Entered: 12/09/1992)
12/28/1992	119	Received minute order that was previously mailed to dft atty. Letter retrnd to the clks office wrong address as to Milton Jerome Baker Jr. (rm) (Entered: 01/08/1993)
01/22/1993	120	MINUTES: Filing and spreading mandate of the 9th cir crt of appeals. The crt ords that the mandate of the 9th cir crt of appeal reversing and remanding. Dft is rel frm cust; issd rel/remand no. 2877. Crt vacates ord denying motn to suppress & grants motn. Crt vacates j/c ord. Upon ord motn of govt, the crt dismisses charges. as to dft Cherry Yolanda Wheatley C/R: C. Mizell by Judge Harry L. Hupp (rm) Modified on 01/29/1993 (Entered: 01/27/1993)
01/27/1993	121	Fld CERTIFIED Copy of judgment from USCA it is the judgment of the crt in this cause be, and hereby is reversed as to dft Cherry Yolanda Wheatley. (cc: all counsel) (rm) (Entered: 01/27/1993)
02/22/1993		RCVD frm 9th CCA 3 volumes C/R transc. (rm) (Entered: 02/26/1993)
07/16/1993		RECORD on Appeal returned from 9th CCA 3 volumes original clerks file, 8 volumes C/R transcripts, exhibits returned: y - (1) Brown Folder (1) Sealed Document (lw) (Entered: 07/26/1993)
04/22/1997	123	MOTION filed by Milton Jerome Baker Jr. to vacate, set aside or correct sent purs to 28:2255 . (mc) (Entered: 04/25/1997)
05/07/1997	124	EX PARTE APPLICATION filed by USA as to Milton Jerome Baker Jr. for ext of time to respond to dft's mot for relief purs to 28:2255 ; Lodged ord (mc) (Entered: 05/08/1997)
05/09/1997	125	ORDER filed by Judge Harry L. Hupp as to Milton Jerome Baker Jr.: granting ex parte application motion for ext of time to respond to dft's mot for relief purs to 28:2255, is ordered: 1. the govt's respnse shall be fld by 8/11/97,

		instead of 5/12/97. [124-1] (cc: all counsel) (ca) (Entered: 05/13/1997)
06/08/1998	126	MOTION filed by USA as to Milton Jerome Baker Jr. to disqualify counsel for dft Memo PA's; Declaration of Alka Sagar. (ca) (Entered: 06/11/1998)
09/15/1998	127	MINUTES OF THE GOVERNMENTS MOTION TO DISQUALIFY HEARING held before Judge Harry L. Hupp as to Milton Jerome Baker Jr. : Cnsl for petitioner is to respond to the govt's motion to disqualify by 9/30/98 C/R: N/A (ca) (Entered: 09/21/1998)
10/07/1998	128	ORDER DIRECTING FILING OF RESPONSE TO MOTION TO DISQUALIFY filed by Judge Harry L. Hupp as to Milton Jerome Baker Jr. : If there is not reply, the motion to disqualify will be granted & the Petition will be denied (cc: all counsel) (ca) (Entered: 10/15/1998)
10/28/1998	129	MEMORANDUM filed by Milton Jerome Baker Jr. in opposition to responsents motion to disqualify cnsl [126-1] (ca) (Entered: 11/02/1998)
12/08/1998	130	MINUTES OF ORDER (also, if applicable, findings & memorandum opinion): HEARING held before Judge Harry L. Hupp as to Milton Jerome Baker Jr. : On 4/22/97, Petitioner through hsi cnsl, Mary Gibbons, filed a petition for relief under 28:2255. As a response, on 6/8/98, the govt fld a motion to disqualify cnsl, Mary Gibbons. Petitioner filed its oppos to the Motion to Disqualify on 10/28/98. After consideration of the papers, the crt Denied the govt's motion to disqualify. Accordingly, the govt's oppos must be fld w/this crt nlt 1/11/99. Petitioner's reply to the govt's oppos, if any, must be fld w/this crt nlt 2/8/98 C/R: Cynthia Mizell (ca) (Entered: 12/09/1998)
12/08/1998	131	ORDER filed by Judge Harry L. Hupp as to Milton Jerome Baker Jr. : denying motion to disqualify counsel for dft [126-1] (cc: all counsel) (ca) (Entered: 12/14/1998)
01/04/1999	132	EX PARTE APPLICATION filed by USA as to Milton Jerome Baker Jr. for extension of time to file a response to pet's motn to vacate, set aside or correct sentence ; Declr of Alka Sagar. Lodged Order (ca) (Entered: 01/08/1999)
01/05/1999	133	ORDER filed by Judge Harry L. Hupp as to Milton Jerome Baker Jr. : granting ex parte application motion for extension of time to file a response to pet's motn to vacate, set aside or correct sentence [132-1] matter is extended to 2/11/99 (cc: all counsel) (ca) (Entered: 01/19/1999)
02/11/1999	134	MEMORANDUM filed by USA as to Milton Jerome Baker Jr. in opposition to petitioner's motn to vacate, set aside or correct sentence purs to 28:2255; Declar of Alka Sagar; Exhibits [123-1] (ca) (Entered: 02/17/1999)
02/12/1999	135	NOTICE OF IN CAMERA FILING by USA as to Milton Jerome Baker Jr. Re: respondent's filing in support of oppos to pet's motion to vacate, set aside or correct sentence purs to 28:2255 (ca) (Entered: 02/17/1999)
10/05/1999	137	ORDER filed by Judge Harry L. Hupp as to Milton Jerome Baker Jr. : denying motion to vacate, set aside or correct sent purs to 28:2255 [123-1] (cc: all counsel) (ca) (Entered: 10/13/1999)
11/04/1999	138	NOTICE OF APPEAL to USCA filed by Milton Jerome Baker Jr. as to Milton

		Jerome Baker Jr. from order [137-1], filed on: 10/5/99 and entered on: 10/13/99. status: COA Pending (cc: Mary Gibbons;Alka Sagar,AUSA) (ghap) (app) (Entered: 11/08/1999)
03/06/2000		RECORD ON APPEAL FORWARDED TO USCA: 3 volumes original clerks file, 1 expando folder containing docket no. 134, 11 volumes C/R transcripts, exhibits: two envelopes of certified copies of sealed docket nos. 82 and 136 (pjap) (app) (Entered: 03/06/2000)
06/21/2002	139	RECORD on Appeal returned from 9th CCA 3 volumes original clerks file, 11 volumes C/R transcripts, 2 sealed envelopes & 1 brown folder. (ghap) (Entered: 07/22/2002)
07/02/2008	140	ORIGINAL AND COPY OF PROBATION FORM 22 sent to USDC Illinois Northern District Court at Chicago, IL as to Defendant Milton Jerome Baker, Jr. (Attachments: # 1 Prob 22 Transfer)(lom) (Entered: 07/03/2008)
07/31/2008	141	RECEIPT/ACKNOWLEDGEMENT OF Supervised Release Transfer Letter and Prob 22 by Northern District of Illinois as to Milton Jerome Baker, Jr. Transfer case number: 08CR594, Judge Pallmeyer. (lom) (Entered: 08/04/2008)
07/31/2008	142	ORDER RE: TRANSFER OF JURISDICTION filed by Judge Alicemarie H. Stotler as to Supervised Releasee Milton Jerome Baker, Jr. Case transferred to Northern District Court of Illinois, CR08-594 (Judge Pallmeyer). (Attachments: # 1 PROB 22) (lom) (Entered: 08/04/2008)

PACER Service Center			
Transaction Receipt			
08/04/2008 11:35:53			
PACER Login:	us3877	Client Code:	
Description:	Docket Report	Search Criteria:	2:89-cr-00812-HLH End date: 8/4/2008
Billable Pages:	3	Cost:	0.24

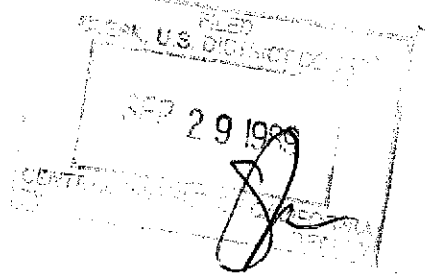
I hereby attest and certify on 8/4/08
that the foregoing document is a full, true
and correct copy of the original on file in
my office, and in my legal custody.

CLERK U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

[Signature]
DEPUTY CLERK



1198



UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

June 1989 Grand Jury

UNITED STATES OF AMERICA,

CR 89- 812

Plaintiff,

I N D I C T M E N T

v.

[21 U.S.C. § 841(a)(1):

Possession With Intent

MILTON JEROME BAKER, JR., and
CHERRY YOLANDA WHEATLEY,

To Distribute Cocaine
Base; 21 U.S.C.

Defendants.

§ 841(a)(1): Distri-
bution of Cocaine Base]

The Grand Jury charges:

COUNT ONE

[21 U.S.C. § 841(a)(1)]

On or about September 14, 1989, in Los Angeles County, within
the Central District of California, defendants MILTON JEROME
BAKER, JR. and CHERRY YOLANDA WHEATLEY knowingly and
intentionally possessed with intent to distribute approximately
5,659.4 grams of cocaine base, a schedule II narcotic drug
controlled substance.

//

//

BKS:nms:0480H

ENTERED ON COURT RECORD

[Handwritten mark]

[Handwritten mark]

MB


COUNT TWO

[21 U.S.C. § 841(a)(1)]

On or about September 14, 1989, in Los Angeles County, within the Central District of California, defendants MILTON JEROME BAKER, JR. and CHERRY YOLANDA WHEATLEY knowingly and intentionally distributed approximately 5,659.4 grams of cocaine base, a schedule II narcotic drug controlled substance.

A TRUE BILL

GARY A. FEESS
United States Attorney


ROBERT L. BROSIO
Assistant United States Attorney
Chief, Criminal Division

MONICA BACHNER
Assistant United States Attorney
Chief, Criminal Complaints

UNITED STATES OF AMERICA vs.

Docket No. CR - 89-0812-1-HLH

Defendant's Name Milton Jerome Baker, Jr.

& R

Adc

JUDGMENT AND PROBATION/COMMITMENT ORDER

In the presence of the attorney for the government, the defendant appeared in person on this date.

MONTH DAY YEAR
April 23, 1990

COUNSEL

☐

WITHOUT COUNSEL

However, the Court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the Court and the defendant thereupon waived assistance of counsel.

☒

WITH COUNSEL

David Dudley, retno.

(Name of Counsel)

PLEA

☐

GUILTY, and the Court being satisfied that there is a factual basis for the plea.

☐

NOLO CONTENDERE

☐

NOT GUILTY

FINDING

There being a finding/verdict of ☒ GUILTY, defendant has been convicted as charged of the offense(s) of:

possession with intent to distribute 5,659.4 grams of cocaine base (ct. 1) in violation of 21 USC 841(a)(1) and distribution of 5,659.4 grams of cocaine base (ct. 2) in violation of 21 USC 841 (a)(1).

JUDGMENT
AND PROB./
COMMITMENT
ORDER

The Court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the Court, the Court adjudged the defendant guilty as charged and convicted and ordered that: Pursuant to the Sentencing Reform Act of 1984, it is the judgment of the Court that the defendant is hereby committed to the custody of the Bureau of Prisons to be imprisoned for a term of: **235 months on each count 1 and 2, to be served concurrently.** Upon release from imprisonment, defendant shall be placed on supervised release for a term of five (5) years each count 1 & 2 concurrently, upon the following terms and conditions:

1. Defendant shall comply with the rules and regulations of the U.S. Probation Office and General Order 318;
2. Defendant shall participate, as instructed by the Probation Officer, in a program approved by the U.S. Probation Office, for treatment of narcotic addiction or drug dependency, which may include counseling and testing, to determine if the defendant has reverted to the use of drugs.

FINE is waived as defendant has no ability to pay.

ENTERED

APR 30 1990

RECEIVED/FISCAL
CLERK, U.S. DISTRICT COURT

APR 25 1990

CENTRAL DISTRICT OF CALIFORNIA
BY JA DEPUTY

In addition to the special conditions of probation set out above, it is hereby ordered that the Standard Conditions of Probation and Supervised Release set out on the reverse side of this judgment and commitment order. The Court may change the conditions of supervision, reduce or extend the period of supervision, and at any time during the supervision period, within the maximum period permitted by law, may issue a warrant and revoke supervision for a violation occurring during the supervision period.

☐ This is a direct commitment to the Bureau of Prisons, and the Court has NO OBJECTION should the Bureau of Prisons designate defendant to a Community Corrections Center.

Signed By: ☒ U.S. District Judge

☐ U.S. Magistrate

Dated 4/24/90

It is ordered that the Clerk deliver a certified copy of this Judgment and Probation/Commitment Order to the U.S. Marshal or other qualified officer.

LEONARD A. BROSNAN, CLERK

Dated/Filed 4/25/90

By Robert Bolton

Deputy Clerk

CRIMINAL MINUTES — SENTENCING AND JUDGMENT

Case No. CR 89-0812-1-HLHDate 4/23Hon. HARRY L. HUPP, JudgeR. Bolton

Deputy Clerk

C. Lewis

Court Reporter

ALKA SAGAR

Asst. U.S. Attorney

MILTON J. BAKER, JR.

Defendant

DAVID DUDLEY

Counsel

Interpreter

SENTENCE:

☒ Imprisonment for 235 months on each of count(s) 1 + 2 concurrently pursuant to Title 18, U.S.C. UPON REL. FROM CUSTODY,
(GUIDELINES CASE)☐ Fine of \$ _____ is imposed on each of count(s) _____.☐ Execution ☐ Imposition of sentence as to imprisonment only suspended on count(s) _____.☐ Imposition of fine suspended on count(s) _____.☐ Confined in a jail-type institution for _____ to be served on consecutive (days)(weekends)from _____ to _____, commencing _____
to _____, and thereafter until the jail-type sentence has been completed;

balance of sentence is suspended.

☒ 5 (years)(months) SUPERVISED RELEASE 1 + 2 CONC. upon the following terms and conditions:☒ Obey all rules and regulations of P/O and General Order 225☐ Obey all Federal, State and Local Laws☐ Perform _____ hours of community service as directed by P/O☐ Serve _____ in a CTC or similar facility as designated by P/O☐ Pay \$ _____ fine in such amounts and at such times as may be determined by P/O☐ Make restitution in sum of \$ _____ in such amounts and at such times as may be determined by P/O☒ Participate in a program, as directed and approved by P/O, for treatment of narcotic addiction, or drug dependency, which may include counseling or random testing☐ Imprisonment for _____ for study pursuant to Title 18, U.S.C., _____
and results of study to be furnished to the Court within _____ (days)(months) whereupon
sentence shall be subject to modification pursuant to Title 18, U.S.C., _____.☐ \$ _____ special assessment fee imposed per count for a total of \$ _____
pursuant to Title 18, U.S.C. 3013 payable to U.S. Treasury - U.S. Attorney, 312 N. Spring St., Room 1347
(Claims & Judgments) Los Angeles, California 90012.☐ Other: _____I hereby attest and certify on 8/14/08
that the foregoing document is a full, true
and correct copy of the original on file in
my office, and in my legal custody.CLERK U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA☐ On Government's motion, all remaining count(s) ordered dismissed.
☐ Sentence on each of count(s) _____ shall ~~be run~~ concurrent/consecutive to the sentence
imposed on each of count(s) _____.☐ Period of probation imposed on count(s) _____ shall run concurrent/consecutive to the period
of probation imposed on count(s) _____.☒ Defendant informed of right to appeal.☐ Bond exonerated ☐ Forthwith ☐ Upon surrender on _____.☐ Present bond to continue as bond on appeal.☐ Appeal bond set in amount of \$ _____.☐ Stay of execution of ☐ fine ☐ imprisonment granted until _____.☐ Defendant ordered remanded to custody of U.S. Marshal forthwith.☐ Execution of sentence is stayed until 12 noon, _____ at which time the defendant shall surrender to the
designated facility of the Bureau of Prisons or if no designation made, to the U.S. Marshal.☒ Made JS-3, entered _____ ☐ Filed and distributed judgment.

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CASE SUMMARY

USA v Milka Jerome Baker, Jr. CASE NO. CR _____ DEFENDANT NO. 1

NOTE: All items are to be completed. Information not applicable or unknown will be indicated as "N/A".

1. ☒ Indictment Information **FILED**
 a. Investigative agency (i.e., FBI, DEA, IRS, Customs, Postal, etc.)
DEA 6. N/A This is a superseding charge and charges previously dismissed on: _____
 7. N/A This is a superseding charge and the superseded case is still pending before Judge/Magistrate _____ previously filed on _____ case no. _____
 2. Offense charged as a:
 a. ☒ Felony
☐ Minor Offense
☐ Petty Offense
 b. Date of Offense 9/14/89
 c. County in which first offense occurred LA
 d. All crimes charged are alleged to have been committed in Orange, Riverside or San Bernardino Counties? ☐ Yes ☒ No
 e. If not all crimes, some crimes charged are alleged to have been committed in Orange, Riverside or San Bernardino Counties? ☐ Yes ☒ No
 3. Citation of Offense:
21 USC 841(a)(1)
 4. This defendant is charged in:
☒ All Counts
☐ Only Counts _____
 5. ☒ A complaint was previously filed on 9/15/89
 case no. 89-1045 M
 charging 21 USC 841(a)(1)
 The complaint:
☒ Is still pending
☐ Was dismissed on _____
 8. N/A This defendant is designated as "High Risk" per 18 U.S.C. 3164 (a) (2) by the U.S. Attorney.
 9. N/A This is designated a "Special Case" per 18 U.S.C. 3165 (b) (7).
 10. Detained Witnesses? ☐ Yes ☒ No
 11. Out of district witnesses? ☐ Yes ☒ No
 12. Date of Birth: 5/30/63
☒ Male ☐ Female
☒ U.S. Citizen ☐ Alien
 13. Estimated days for trial 2
 14. DEFENDANT IS NOT IN CUSTODY
 a. Date and time of arrest on complaint _____
 b. Posted bond at complaint level on _____
 in the amount of \$ _____
 c. PSA Supervision. ☐ Yes ☐ No
 d. ☐ Is a Fugitive
 e. ☐ Is on bail or release from another district. Show district: _____
 f. ☐ Has not been arrested but will be notified by summons to appear
 g. ☒ Warrant requested.

DEFENDANT IS IN CUSTODY
 DEFENDANT IS IN CUSTODY

- a. Place of incarceration
 State Federal X
- b. Name of institution MDC
- c. If Federal:
 U.S. Marshall's Registration Number:
91009012
- d. X Solely on this charge. Date
 and time of arrest 9/14/89
- e. On another conviction:
 Federal State
 Writ of Habeas
- f. Awaiting trial on other
 charges: Federal State
 Name of Court

5. Has Detainer been filed: Yes
On

7. Date transferred to federal custody:

8. This person/proceeding is transferred
 from another district per FRCP:
 220 221 420

9. Determinations as to excludable time
 prior to filing indictment/information
 (explain):

20. Date: 9/12/89

21. Signature Brenda K. Surabes
 ASSISTANT U.S. ATTORNEY

22. Print Name Brenda K. Surabes